

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA, GA.

2007 JUN 26 P 12:14

CHARLES FITZGERALD DAVIS,)

Petitioner,)

v.)

RANDY TILLMAN, Warden,)

Respondent.)

CV 106-043

CLERK *L. J. Godbey*
JUN 26 2007

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Respondent's renewed motion to dismiss is **GRANTED**, this civil action is **DISMISSED** without prejudice, and a final judgment shall be **ENTERED** in favor of Respondent.

SO ORDERED this 26 day of June, 2007, at Augusta, Georgia.

[Signature]
HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE